

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:16-cv-00310-MR-DLH**

ROBERT A. MULLINAX, Individually)	
as Executor of the Estate of)	
Jack Junior Waugh,)	
)
Plaintiff,)
)
vs.)
)
ADVANCED AUTO PARTS, INC.,)	<u>O R D E R</u>
et al.,)	
)
Defendant.)
)

THIS MATTER is before the Court *sua sponte*.

On April 21, 2017, the Court entered an Order directing the Plaintiff to show cause why this case should not be dismissed for the failure to prosecute this action against Defendant LG Electronics, U.S.A., Inc. (“LG Electronics”). [Doc. 181]. In response to the Court’s Show Cause Order, the Plaintiff moved for an extension of time to effect service on LG Electronics. [Doc. 182]. In its discretion, the Court allowed the Plaintiff until June 5, 2017, to effect proper service on this Defendant.

More than 60 days have passed since the expiration of the Plaintiff’s deadline for serving LG Electronics. To date, however, LG Electronics has

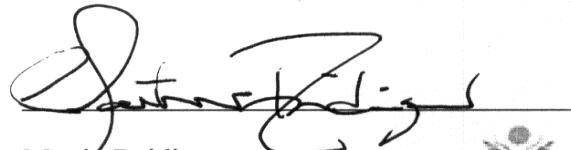
not answered or otherwise defended this action, and the Plaintiff appears to have made no effort to prosecute its action against this Defendant.

IT IS, THEREFORE, ORDERED that within fourteen (14) days of the entry of this Order, the Plaintiff shall file an appropriate motion or otherwise take further action with respect to the Defendant LG Electronics U.S.A., Inc.

The Plaintiff is advised that failure to take further action within the time required will result in the dismissal of this Defendant.

IT IS SO ORDERED.

Signed: August 8, 2017



Martin Reidinger
United States District Judge

